

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

LARRY D. MITCHELL,

Petitioner,

vs.

KEITH BUTTS, Superintendent,

Respondent.

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1:11-cv-1445-JMS-MJD

Entry Directing Further Proceedings

The deferential review commanded by the Antiterrorism and Effective Death Penalty Act ("AEDPA"), codified in part at 28 U.S.C. § 2254, applies to claims which the Indiana courts adjudicated on their merits. Pursuant to the AEDPA, "a federal court may issue a writ of habeas corpus only if the state court reached a decision that was either contrary to, or an unreasonable application of, clearly established federal law as determined by the Supreme Court." *Raygoza v. Hulick*, 474 F.3d 958, 963 (7th Cir. 2007) (citing 28 U.S.C. § 2254(d)(1); *Williams v. Taylor*, 529 U.S. 362, 404-06 (2000)).

Based on the foregoing, and based also on the fact that notice pleading does not suffice in an action for habeas corpus relief, see *Lloyd v. Van Natta*, 296 F.3d 630, 633 (7th Cir. 2002), the petitioner shall have **through December 21, 2011**, in which to **supplement** his petition for a writ of habeas corpus by supplying the following information:

1. As to each of the claims asserted in the petition, was it decided on the merits by the Indiana courts?

2. As to each of the claims decided on the merits by the Indiana courts, in what sense, if any, did the state court's adjudication (i) result in a decision that was contrary to clearly established Federal Law, as determined by the Supreme Court of the United States or (ii) result in a decision which was an unreasonable application of clearly established Federal Law, as determined by the Supreme Court of the United States?

3. As to each of the claims decided on the merits by the Indiana courts, in what sense, if any, the state court's adjudication resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the state court proceeding?

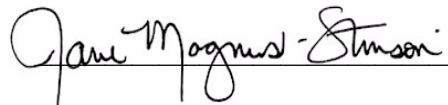
The purpose of directing the petitioner to **supplement** his petition for writ of habeas corpus as directed above is to permit the petitioner to craft a habeas petition sufficient to support the relief he seeks and sufficient to survive the review required by Rule 4.

IT IS SO ORDERED.

Date: 12/01/2011

Distribution:

Larry D. Mitchell
No. 925971
Pendleton Correctional Facility
4490 West Reformatory Road
Pendleton, IN 46064

A handwritten signature in black ink, reading "Jane Magnus-Stinson". The signature is written in a cursive, flowing style. The first name "Jane" is written with a large, open "J". The last name "Stinson" is written with a large, open "S". The signature is written over a horizontal line.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana